

From: Susan Nissman
To: [Raftery, Peter@Waterboards](mailto:Raftery.Peter@Waterboards)
Cc: [Susan Nissman](mailto:Susan.Nissman)
Subject: Fwd: Los Angeles Local Agency Management Plan (LAMP)
Date: Monday, April 23, 2018 4:34:33 PM
Attachments: [April 23.docx](#)

Hi, Peter - I am forwarding the comment letter I sent to Public Health, but when I called to make sure that covered all the bases in terms of where it should be sent, I was told to go ahead and also forward it to you. It's been kind of confusing where to actually send the comment letters.

thanks,

Susan Nissman

Begin forwarded message:

From: Susan Nissman <nissman@aol.com>
Subject: Los Angeles Local Agency Management Plan (LAMP)
Date: April 23, 2018 at 4:26:03 PM PDT
To: dlanduse@ph.lacounty.gov
Cc: sabbott@ph.lacounty.gov, jactaylor@ph.lacounty.gov, "Englund, Nicole" <nenglund@bos.lacounty.gov>

Please find attached Susan & Arthur Nissman's comment letter re the current 2018 LAMP Draft.

Thank you,

Susan Nissman
nissman@aol.com
310-883-5613

April 23, 2018

Sent via email

Mr. Peter Raftery, Groundwater Planning Unit
CA Regional Water Quality Control Board, Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Re: LA County Local Agency Management Plan (LAMP)

Dear Mr. Raftery:

While we appreciate the opportunity to provide input and comments on the proposed LACO LAMP, we did want to note our concern that the timeframe provided has not adequately given enough time for Topanga residents and small businesses to fully understand the complexity of the new state rules and regulations regarding OWTS's, and what they mean to homeowners, small business owners, and property owners, in this historic, rural, mountain community.

Besides the complexity of the document, the rush to meet state mandated deadlines is compounded by a lack of a clearly defined Process: how will the regulations be implemented? what's the roadmap? what is the burden of compliance on existing property owners? how extensive a process of investigation and testing will existing small-lot homeowners, and small restaurants (less than 10,000 gpd) have to go through to prove they qualify for a variance? what is the variance process? A clearly worded document that provides step-by-step directions for applying the regulations of the LAMP to individual properties is needed.

We have lived in Topanga, in the Santa Monica Mountains, for 40 years; during the 1984 disaster storms, flooding, mud slides, debris and sediment flows, overwhelmed and rendered the original –

seepage pit installed when the house was built in 1949, as no longer viable. Until we were able to obtain the necessary funds to design and put in a new conventional system, our family (2 children under the age of 5, my husband and me), used a rented porta-potty in our driveway, laundermats, bottled water for cooking, and friends' and neighbors' showers and baths, in order to continue living in our home for 2 months. We called it "camping out".

Now, as retired seniors living on a fixed and limited income, we have joined a growing demographic phenomenon of homeowners who are "aging in place": in point of fact, current census data shows that as the "baby boomer" generational bulge moves through California's towns and communities, that here in Topanga (pop. 11,000), 50% of the current population is 50-years old and older. Our population is aging, as well as our wastewater treatment systems.

While the vast majority of our homes operate on functioning OWTS, whether conventional tank and leech field, or vertical, or horizontal seepage pits, the new standards appear to cast into doubt what is accepted as a functioning system. The generally accepted definition of a functioning system has always been one that is not daylighting, potentially sending wastewater and effluent onto the surface and into our creeks and drainage courses.

Now, we are told that responsible maintenance and practicable management practices, like pumping a system 3 or more times in a 6-month period, will trigger requirements to hire a contractor, test the existing system, and if the "perc" rate does not meet the current standards, the system will be deemed as "failing", and corrective actions determined to bring the existing system up to current standards. Where did this number "3" come from as the cutoff? Of

course, zero percolation (rare) would possibly require more frequent pumping maintenance depending on use, but it appears the State has already acknowledged that pumping a tank or pit regularly is an acceptable maintenance and management practice for the restaurants at Topanga State Park property across from Topanga State Beach & Lagoon, as well as Porta Potties instead of public restrooms for the winery operating there, in order for these commercial tenants to continue operating and serving their customers.

The point is that the definition for “failing” needs to be identified more realistically and precisely in degrees of performance and feasibility, along with the recognition that there is no one-size-fits-all solution, especially outside of the LA Basin in a coastal mountain watershed where geology and geography are unique to the SMM Range. Phasing in of solutions is also needed, so that homes and businesses may continue to operate when pumping is the only means of keeping a system from daylighting into the environment.

For instance, a lower-than-standard perc rate on an older system doesn't mean the system is “failing”, and there are certainly options to enhance mitigation: water conservation, grey water systems, composting, etc., that can be added to a broad menu of smart and green options that continue to protect our natural and human environment at the same time, while reducing the load on, and the life of an OWTS.

Education, Innovation and Incentivization are critical to a working program. Workshops with contractors and county planners from Public Health, Regional Planning, and Public Works in mountain communities like Topanga where the LA County LAMP will apply to every one, are important. Highlighting and promoting

information like the “Care and Feeding of Your Septic System” developed by the original Topanga Watershed Committee in April 1999 is an example of material that should be made available to all, including new residents.

The County’s outreach and work with horse owners and boarders effected by a newly adopted SMMLCP and its ordinances, met regularly with impacted communities to outline a specific implementation plan, and a process for compliance with State Water Quality Standards. Community input is essential in developing a LAMP that works.

Topanga, and its mountain neighbors to the West, have a well-established reputation as pro-active defenders of the environment, fighters for public lands and open spaces, and active in being the best stewards possible of these mountains and the natural environment. We look forward to working with the County in helping assure an implementation ordinance that clearly addresses the details required to achieve positive environmental results while maintaining the quality of life in our rural communities.

As reference to some of our comments, please note we concur with the RCDSMM 23 April 2018 Comment Letter, and its seven recommendations, in its entirety.

Respectfully submitted,
Susan & Arthur Nissman

P.O Box 1510, Topanga, CA 90290

310-883-5613

CC: Scott Abbott, Environmental Programs, Public Health
Jacqueline Taylor, Environmental Protection, Public Health
Nicole Englund, Deputy Supervisor, Third District

